

I. Basis of the report

1. **Constituent parts** of the international application (*replacement sheets furnished to the office of application following a request under Article 14 shall be deemed in the context of this report to have been "originally filed" and are not annexed to it, because they do not contain any amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-15 in the originally filed version

Patent claims, No.:

1-11 received on 20.12.2004 with cover letter dated 20.12.2004

Drawings, sheets:

1/2-2/2 in the originally filed version

2. With regard to the **language**: All above-mentioned constituent parts were available to the authority in the language in which the international application was filed or were furnished therein, unless otherwise indicated under this item.

The constituent parts were available to the authority in the language or were furnished to it in this language; this relates to

- the language of the translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the publication language of the international application (under Rule 48.3(b)).
- the language of the translation furnished for the purposes of the international preliminary examination (under Rule 55.2 and/or 55.3).

3. In respect of the **nucleotide sequence and/or amino-acid sequence** published in the international application, the international preliminary examination was conducted on the basis of the sequence report, which:

- is contained in the international application in written form.
- was filed together with the international application in computer-readable form.
- was submitted to the authority retrospectively in written form.
- was submitted to the authority retrospectively in computer-readable form.
- The declaration that the retrospectively submitted written sequence report does not go beyond the disclosure of the international application at the time of application was furnished.
- The declaration that the information produced in computer-readable form corresponds to the written sequence report was furnished.

4. The amendments have resulted in the cancellation of:

- Description, pages:
- Claims, No.:
- Drawings, sheet:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International reference PCT/DE 03/03244

5. This report has been established as if (some of) the amendments had not been made, since for the reasons stated in the opinion of the authority these go beyond the disclosure in the version originally filed (Rule 70.2(c)).

(Reference is made under Item 1 to replacement sheets containing such amendments; they are to be annexed to this report).

6. Any additional observations:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statements

1. Statement

Novelty (N) Yes: Claims 1-11

No: Claims

Inventive step (IS) Yes: Claims 1-11

No: Claims

Industrial applicability (IA) Yes: Claims 1-11

No: Claims

2. Citations and explanations

see Supplementary sheet

Re Item V

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statements

The nearest prior art is disclosed in WO 00/52317 (D1).

The subject matter of claim 1 satisfies the requirements of Article 33(2) and (3) PCT, since none of the cited documents suggests modifying the known arrangement in accordance with said claim. In particular, in the prior art there is no subdivision of the quantity of fuel to be injected with the claimed dependence on air mass quantities in the range close to full load. A variation of the teaching of D1 corresponding to the main claim cannot be derived from the prior art.

The dependent claims satisfy the requirements by reason of their dependence.

The industrial applicability is obvious.